

Borough of Pendle

Non-motorised hackney carriages: Horse drawn carriages

The grant of a licence to drive a horse drawn carriage as a hackney carriage shall entitle the holder to drive a hackney carriage of the type specified on the licence (i.e. horse drawn carriage).

It shall not entitle the holder to drive any other type of hackney carriage or private hire vehicle.

A licence to drive a horse drawn carriage as a hackney carriage will last for one year from the date of issue.

A licence to drive a non-motorised hackney carriage will not be granted to a person who is under the age of 18 years of age.

1 Driver Application procedure:

An application for a non-motorised hackney carriage driver's licence must include the following:

- (a) A completed application form
- (b) Current UK driving licence
- (c) Disclosure and Barring Service (DBS) enhanced check application form
- (d) Medical examination form to current DVLA Group 2 standard
- (f) Passport style colour photograph
- (g) Correct fee for the application
- (h) Pass the *knowledge test
- (i) Submit a suitable qualification demonstrating a knowledge of the most common horse ailments and basic knowledge of the horses general needs/requirements.
- (j) Road Driving Certificate issued by either the British Driving Society or the Heavy Horse Training Committee, passing the driver as capable of handling the horse and carriage under highway conditions.

** with the exception of the knowledge test in relation to local geography, which will be exempted due to the nature of non-motorised operation typically being localised.*

2. Carriage Application Procedure:

Non-motorised vehicles can only be issued with hackney carriage licences, and cannot be licenced for private hire due to the fact that a private hire vehicle is defined as a 'motor vehicle'. Before a non-motorised hackney carriage licence is granted, the authority must be satisfied that the carriage is fit for purpose. In ascertaining whether the carriage is fit, the proprietor will need to produce evidence of the following:

- (a) The roadworthiness of the carriage (via a certificate issued by an inspector approved by the council)
- (b) The serviceability of the ancillary equipment (via a certificate issued by an inspector approved by the council)
- (c) The fitness and appropriateness of the horse to be used (via a certificate issued by a veterinary surgeon approved by the council)
- (d) Horse passport for each horse to be used
- (e) An insurance policy appropriate for public hire and covering third party liability both in respect of physical injury or death in respect of damage to personal belongings. A minimum sum of £2 million is required.

3. Carriage specification

The basic requirements for a carriage are:

- (a) Must be drawn by one or more horses
- (b) Have two or four wheels
- (c) A compartment for the passengers to be carried in
- (d) Capable of carrying a minimum of two and up to six passengers (dependent upon construction)
- (e) In the opinion of the council appointed Inspector, safe for the use as a hackney carriage on the road.

Conditions Relating to Horse Drawn Carriages

The licence holder(s) or Directors

1. The licence holder(s) or directors of a company must at all times comply with these conditions and Part II of the Local Government (Miscellaneous Provisions) Act 1976.
2. Provide a basic DBS disclosure that is no more than one month old for new applicants or the enhanced DBS certificate if already a licensed driver.
3. Any applicant, who has lived outside the UK within the last 10 years, provides a Certificate of Conduct, translated into English, from each of the countries that they have lived in within that period.
4. You shall not employ as a driver any person who does not have a current driver's licence and a current hackney carriage driver's licence. You shall retain the hackney carriage drivers' licences of all drivers driving your vehicles and produce them to an authorised officer on request.
5. You must inform the Council within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will result in a review as to whether the licence holder(s) or directors are fit to continue to hold a licence.

The Carriage - External Construction and Markings

6. The carriage shall be purpose built and suitable for the carriage of passengers.
7. The carriage and tack shall be inspected and approved as appropriate for use as a hackney carriage prior to licensing and then at six monthly intervals by an examiner approved by the Council.
8. Licensed carriages including all its fittings and equipment must at all times be maintained in a good condition and be kept clean and tidy. This includes the following examples which are for reference only and does not constitute a definitive list of matters that may be considered to evaluate whether a carriage is in a good condition:
 - body shell/paintwork - free from rust, broken metal and other visible damage
 - door hinges - shall be in good working order and to be seated correctly when closed
 - the carriage/horse must be fitted with such equipment as to be able to collect and retain horse manure, water and feed for the animal all tack and fixtures must be kept in good order and be available for inspection

by Authorised Officers

9. The carriage will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or that any part or fitting is not in good working order, a notice may be served on you prohibiting the use of the carriage until the defect has been remedied. A review of the licence holder may be carried out if the carriage is not being maintained to a satisfactory standard.

The Carriage - Internal Construction and Markings

10. The carriage shall meet the following minimum measurements:-
 - seats (length) - the shortest distance between the front and back of a seat (i.e. from the back rest to the front edge) must not be less than 450mm
 - in the case of rear facing seats, the distance between the backs of facing seats shall not be less than 1520mm. In all other cases the distance between the back rest of the seat and any facing obstruction must not be less than 760mm
 - seats (width) - The shortest distance between the edges of a seat shall be no less than 400 mm. Where the rear passenger seating area is divided into individual seats by way of formed cushions or other similar divide and, in the opinion of an Authorised Officer, affect the comfort of a passenger, the above measurement shall be ascertained by measuring the distance between seatbelt anchorages (if applicable)
 - floor and seat coverings shall be kept in good condition and be free of holes, stains or other damage at all times
 - a safe means of access and egress from the vehicle (e.g. a step and secure hand holds) shall be provided
 - blankets shall be provided for the comfort of passengers

The Carriage - Additional Conditions

11. A hackney carriage licence applies solely to the carriage specified on the licence and will be valid for a period of one year.
12. Each carriage shall be fitted with a tag, mark or similar device carrying a unique identification number.
13. The licensed carriage shall display a rear licence plate as instructed by the Council.
14. You shall not permit the hackney carriage to be used to carry more people than the licence allows.
15. You must, if requested, carry guide, hearing and other assistance dogs free of charge unless you are in possession of a valid exemption certificate.

16. The licence and associated plate shall remain the property of the Council at all times.
17. You shall upon expiry, revocation or suspension of this licence immediately return to the Council the identification plate issued when granting the licence.
18. Any damage to a hackney carriage, however slight, shall be reported by you to the Council within seventy-two hours of the damage taking place and the Council's accident report form shall be completed in all cases. Until the damage is repaired to the satisfaction of the Council the carriage shall not be used to ply for hire.
19. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made at any time while the licence is in force without the approval of the Council.
20. The proprietor of a licensed carriage shall: produce the licensed carriage for inspection at the request of any Authorised Officer or Police constable comply with any reasonable request made by an Authorised Officer or Police constable in respect of that the carriage must have a valid Policy of insurance in respect of use as a hackney carriage; third party risks and a minimum of £2 million public liability insurance.

The Horse

21. The horse(s) must be a minimum of three years old.
22. A Veterinary Certificate signed by a Veterinary Surgeon approved by the Council stating that each horse is fit to carry out the work required of it, shall be submitted to the Council as part of the application process.
23. Horses must be appropriately shod at all times.
24. If a horse is considered to be lame, or in any other way unwell so as to affect the ability of the horse to carry out the function, it shall be removed from service immediately.
25. Horses must be provided with regular access to drinking water and food.
26. The horse(s), and its associated tack, must be examined and passed as fit for the task involved, by a Council appointed qualified veterinary surgeon who may also advise the authority on the maximum number of hours that a horse may work.
27. The Local Authority shall require the horse(s) to be examined by a Council appointed qualified veterinary surgeon on an annual basis, at time of renewal of the licence and at the licence holder's expense.
28. Certified horses should be easily identified by means of microchip or permanent marking.
29. The horse(s) must have a current passport.
30. The horse(s) should be stabled in appropriate accommodation with access for inspection at all reasonable times.

31. Any horse used in any one day as a horse drawn carriage horse shall not be used during that day for any other purpose.
32. No horse(s) shall be used for drawing a carriage during the hours of darkness.
33. Sufficient horses must be provided to draw the licensed carriage for the period of intended use.

The Driver

34. The driver of the carriage must be a licensed hackney carriage driver and produce the following additional certificate before driving the carriage:
 - Road Driving Certificate issued by either the British Driving Society or the Heavy Horse Training Committee, passing the driver as capable of handling the horse and carriage under highway conditions.

Fares

35. Fares shall not be varied without prior approval of the Council
36. A table of authorised maximum fares shall be displayed in each carriage so that it is easily visible to the hire